

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

**THE DRAWINGS**

It is respectfully requested that the Examiner complete item 10 of the Office Action Summary sheet to confirm that the formal drawings filed with the original application papers on June 1, 2006, have been accepted.

**THE FOREIGN PRIORITY CLAIM**

It is respectfully requested that the Examiner complete item 12 of the Office Action Summary sheet to acknowledge the claim for foreign priority in the present application.

**INFORMATION DISCLOSURE STATEMENT**

The Examiner has refused consideration of JP 6-280171, JP 2003-199786 and JP 2000-510377, which were submitted with the IDS filed on May 15, 2007, on the grounds that no translations of these publications were provided.

It is respectfully pointed out, however, that JP 6-280171, JP 2003-199786 and JP 2000-510377 were cited in a Japanese Office Action issued in a counterpart foreign application. And it is respectfully pointed out that an English translation of the

Japanese Office Action was provided with the IDS filed on May 15, 2007, so as to provide a concise explanation of relevance of JP 6-280171, JP 2003-199786 and JP 2000-510377. See MPEP 609.04(a) III.

Accordingly, it is respectfully submitted that the Examiner consider JP 6-280171, JP 2003-199786 and JP 2000-510377 and make them of record in the present application, and it is respectfully requested that the Examiner return an initialed copy of the IDS FORM submitted with the IDS filed on May 15, 2007, to confirm that JP 6-280171, JP 2003-199786 and JP 2000-510377 have been considered and made of record.

#### THE TITLE

The title has been amended to more clearly indicate the nature of the invention to which the claims are directed, as required by the Examiner.

#### THE SPECIFICATION

The specification has been amended to avoid referring to the claims by number, as well as to make some minor grammatical improvements. No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered.

### THE CLAIMS

Claim 1 has been amended to recite that the light transmittance of the colored area is at least 15%, as supported by the disclosure in the specification at, for example, paragraph [0026] on page 14, and paragraph [0033] on pages 17 and 18.

In addition, claim 2 has been amended to recite that a light transmittance of the inspection portion is at least 15%, as supported by the disclosure in the specification at, for example, paragraph [0037] on pages 19 and 20.

Still further, claim 3 has been amended to recite that the light transmittance of the inspection portion is at least 15%, as supported by the disclosure in the specification at, for example, paragraph [0040] on pages 21 and 22.

Yet still further, the claims have been amended to make some minor grammatical improvements so as to put them in better form for issuance in a U.S. patent.

Finally, new dependent claims 6-12 have been added based on the disclosure in the specification at, for example, paragraph [0033] on pages 17 and 18.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE PRIOR ART REJECTION

Claims 1-6 were rejected under 35 USC 102 as being anticipated by WO 02/051644 ("Nair et al"). This rejection, however, are respectfully traversed with respect to the claims as amended hereinabove.

On page 2 of the Office Action, the Examiner asserts that Nair et al discloses all of the features recited in original claims 1-6.

It is respectfully submitted, however, that Nair et al does not disclose, teach or suggest the features recited in amended independent claims 1-3 whereby the light transmittance of the colored area is at least 15%, as recited in amended independent claim 1; whereby a light transmittance of the inspection portion (which is not colored) is at least 15%, as recited in amended independent claim 2; and whereby the light transmittance of the inspection portion (which is colored) is at least 15%, as recited in amended independent claim 3.

With this structure, because the light transmittance is at least 15%, the product can be properly determined to be acceptable or unacceptable by using an optical sensor in the inspection process.

By contrast, it is respectfully submitted that Nair et al does not disclose, teach or suggest this structure recited in each of amended independent claims 1-3. Indeed, Nair et al

contains no disclosure with respect the light transmittance of the back sheet for carrying out inspection using an optical sensor to determine whether a product is acceptable or unacceptable.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claims 1-3, and 4-12 respectively depending therefrom, clearly patentably distinguish over Nair et al, under 35 USC 102 as well as under 35 USC 103.

\* \* \* \* \*

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz  
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.  
220 Fifth Avenue - 16<sup>th</sup> Floor  
New York, New York 10001-7708  
Tel. No. (212) 319-4900  
DH:iv